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1 JOHN R. ROBERTS
2 Bankruptcy Trustee
3 P.O. Box 1506
4 Placerville, CA 95667-1506
5 (530) 626-6441

6 UNITED STATES BANKRUPTCY COURT
7 FOR THE EASTERN DISTRICT OF CALIFORNIA

8 IN RE: CASE NO. **09-33295-C-7**

9 **RONALD LEWIS KAYLOR**

10 DC NO. JRR-2
11 DATE: **FEBRUARY 9, 2010**
12 TIME: **9:30 A.M.**
13 COURTROOM: **35**

14 Debtor(s).
15 _____/

16 **TRUSTEE'S MOTION FOR SALE OF ASSETS FREE AND**
17 **CLEAR OF LIENS AND ENCUMBRANCES**

18 The Motion of JOHN R. ROBERTS, as Trustee of the estate of the above-named
19 debtor, respectfully represents:

20 1. That movant is the duly elected, qualified and acting Trustee of the estate
21 of the above-named debtors

22 2. That movant has, as such Trustee, possession of the following asset
23 belonging to the debtors' estate:

24 **COMMERCIAL BUILDING COMMONLY KNOWN AS**
25 **2555 HIGHWAY 158, JUNE LAKE, CA 93529**
26 **APN: 015085010000**

27 3. That it is in the best interest of the estate that said asset be sold in that it
28 will generate cash for the estate and said sale is for the fair market value.

1 4. The Trustee has received an offer from EDWARD SUSZYNSKI AND
ALICE S. SUSZYNSKI, no relationship to the debtor, for the sum of \$165,000.00, cash
as evidenced by the Commercial Property Purchase Agreement and Joint Escrow
Instructions to the Exhibits and marked as **Exhibit "A"**.

1 5. Any costs to be paid will be paid as agreed upon in the attached offer.

2 6. An escrow has been opened at OLD REPUBLIC TITLE CO., escrow
3 number 2123008868-KDD and a \$8,250.00 deposit has been placed with said title
4 company.

5 7. The Deed of Trust holder, MICHAEL A. PINIZZOTTO and NANCY J.
6 PINIZZOTTO, in the approximate sum of \$108,000.00, real property taxes, utility liens
7 and county liens will be paid from the escrow, as applicable, along with real estate
8 commissions and the usual and customary escrow and title fees. The bankruptcy
9 estate will receive approximately \$33,211.56. A copy of the estimated closing
10 statement is attached to the Exhibits as Exhibit "B".

11 WHEREFORE, Trustee prays for an Order from this Court allowing him to sell
12 the asset as described herein free and clear of liens and encumbrances.

13
14 DATED: January 5, 2010

15 /s/ JOHN R. ROBERTS, TRUSTEE
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20 State Bar No. 77919
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